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UNITED STATES
DISTRICT COURT

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SLD/7287
RBR/5016

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

-----X
CHOCOLATS CLUIZEL SAS, : Civil Action No. 04-5484 (WHW)
:
Plaintiff, :
:
v. : CONSENT FINAL JUDGMENT AND
:
VINTAGE CHOCOLATES INC., : PERMANENT INJUNCTION
:
PIERRICK CHOUARD, and :
ANIMARC, INC., :
:
Defendants. :
-----X

THIS CAUSE came on to be heard by this Court on the
Joint Application by Plaintiff Chocolats Cluizel SAS and
Defendants Vintage Chocolates Inc., Pierrick Chouard and Animarc,
Inc. (collectively, "Defendants") for Entry of this Consent Final
Judgment and Permanent Injunction;

WHEREAS, Plaintiff filed a Complaint in the United
States District Court for the District of New Jersey in the
above-captioned matter against Defendants; and

WHEREAS, the District Court, on December 17, 2004,
entered a preliminary injunction against Defendants; and

WHEREAS, pursuant to the terms of a settlement agreement dated April 20, 2005 (the "Agreement"), the parties have agreed to settle their claims and differences subject to the terms and conditions of the Agreement, including entry of this Consent Final Judgment and Permanent Injunction; and

WHEREAS, the parties have agreed to this Consent Final Judgment and Permanent Injunction to resolve amicably their existing disputes and differences.

NOW THEREFORE, the Court, after being fully advised of the premises, and pursuant to the parties' settlement and for good cause shown, enters this Consent Final Judgment and Permanent Injunction,

IT IS on this 18th day of May, 2005 hereby

ORDERED that Defendants and their officers, agents, servants, employees and attorneys, and all those in active concert and/or participation with them, are permanently enjoined and restrained from

1. directly or indirectly using the trademark MICHEL CLUIZEL (or any similar variation thereof), or using any marks, words or names owned by Plaintiff, including the use thereof in advertising or promotional materials, whether printed, verbal, broadcast, electronically transmitted or otherwise, that are likely to cause confusion, mistake or deception by suggesting the existence of an affiliation, association or connection of Defendants with Plaintiff or by suggesting that Defendants'

products originate from, or are sponsored or approved by, Michel Cluizel or Plaintiff;

2. selling any non-genuine goods under the mark MICHEL CLUIZEL, including without limitation, selling MICHEL CLUIZEL brand chocolates which have exceeded their shelf life;

3. covering up or otherwise modifying the date indicated on Plaintiff's packages reflecting the shelf life or expiration date of Plaintiff's products;

4. registering, using or advertising the domain name www.michelcluizel.com or using the term "Michel Cluizel" alone or with other words in any domain name or using the term "Michel Cluizel" alone or with other words as a hyperlink to any of Defendants' websites; and

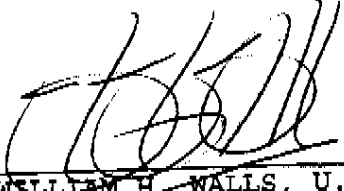
5. otherwise competing unfairly with Plaintiff; and it is further

ORDERED that this Consent Final Judgment and Permanent Injunction shall supersede the Order for Preliminary Injunction of this Court entered on December 17, 2004; and it is further

ORDERED that this action shall be dismissed but the Court shall retain jurisdiction over the parties and subject matter to enforce the terms of this Consent Final Judgment and Permanent Injunction and the Agreement; and it is further

ORDERED that the security posted by Plaintiff in the amount of \$1,000.00 in connection with the Court's November 9, 2004 Order entered on November 12, 2004 shall be returned by the

Clerk of the Court to Plaintiff's counsel, Hellring Lindeman Goldstein & Siegal LLP, One Gateway Center, Newark, New Jersey 07102 upon entry of this Consent Final Judgment and Permanent Injunction.



WILLIAM H. WALLS, U.S.D.J.

We consent to the
form and entry of the
within Consent Order.

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